

DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
WILLIAM S. HABDAS, ESQ.
Nevada Bar No. 13138
AKERMAN LLP
1160 Town Center Drive, Suite 330
Las Vegas, Nevada 89144
Telephone: (702) 634-5000
Facsimile: (702) 380-8572
Email: darren.brenner@akerman.com
Email: william.habdas@akerman.com

*Attorneys for Property and Casualty
Insurance Company of Hartford*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARY JEAN LAMBERT,

Plaintiff,

v.

PROPERTY AND CASUALTY INSURANCE
COMPANY OF HARTFORD; HARTFORD
UNDERWRITERS INSURANCE
COMPANY, companies and entities licensed to
do business in Arizona and Nevada; DOES 1
through 10; XYZ Corporations 11 through 20;
and ABC Limited Liability Companies 21
through 30, inclusive,

Defendants.

Case No.: 2:17-cv-01509-RFB-PAL

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES
(FIRST REQUEST)**

Defendant Property and Casualty Insurance Company of Hartford (**Defendant**), incorrectly named as Hartford Underwriters Insurance Company, and plaintiff Mary Jean Lambert (**Plaintiff**), respectfully submit the following stipulation requesting a sixty (60) day extension of the current scheduling order deadlines.

I. INTRODUCTION.

This case is a dispute arising out of an automobile insurance policy. Plaintiff allegedly suffered injuries as a result of a motor vehicle collision on April 11, 2012, and made a claim on her insurance policy. Plaintiff filed a complaint in State Court on April 17, 2017, alleging breach of

1 contract, contractual breach of implied covenant and good faith and fair dealing, and unfair claims
2 practices. On May 26, 2017, Defendant removed this matter to Federal Court. A discovery plan and
3 scheduling order was entered on August 24, 2017 [ECF Docket #12].

4 **II. DISCOVERY STATUS.**

5 On August 24, 2017, the court entered a discovery plan and scheduling order which
6 set the following deadlines:

- 7 (a). Discovery Cut Off: Wednesday, January 31, 2018.
- 8 (b). Motions to amend pleadings or add parties: Thursday, November 2, 2017.
- 9 (c). Initial Expert Disclosures: Monday, December 4, 2017.
- 10 (d). Rebuttal Expert Disclosures: Wednesday, January 3, 2018.
- 11 (e). Interim Status Report: Monday, December 4, 2017.
- 12 (f). Dispositive Motions: Friday, March 2, 2018.
- 13 (g). Pretrial Order: Monday, April 2, 2018.
- 14 (h). Extensions or Modifications of the Discovery Plan and Scheduling Order:
15 Wednesday, January 10, 2018.

16 A. Discovery that has been completed.

- 17 1. Plaintiff served her initial disclosures on August 15, 2017.
- 18 2. Plaintiffs served her first supplement to initial disclosures on August 18, 2017.
- 19 3. Defendant served its initial disclosures on August 18, 2017.
- 20 4. Plaintiff served her second supplement to initial disclosures on September 7,
21 2017.
- 22 5. Plaintiff served her designation of expert witness on September 7, 2017.
- 23 6. Defendant served its first set of requests for production of documents and first
24 set of interrogatories to Plaintiff on September 21, 2017.
- 25 7. Plaintiff served her first supplement to designation of expert witness on
26 October 11, 2017.

27 B. Discovery that Remains.

- 28 1. Expert disclosures;

2. Depositions of Plaintiff's treating physicians;
3. Deposition of Expert Witnesses;
4. Written Discovery;
5. Plaintiff's deposition (and follow up discovery on any new issues that arise at the deposition)

The parties reserve the right to take additional discovery during the time frames outlined below should the need arise.

C. Pending Motions.

There are currently no pending motions before the court.

III. REASON WHY EXTENSION IS REQUIRED.

Plaintiff requested an extension of time to respond to written discovery requests. This was granted. Defendant has not yet received the responses. The HIPAA form needed to gather medical records was part of the written discovery. Separate and apart from discovery, the executed blank HIPAA was provided by Plaintiff on October 12, 2017. This case involves a large volume of medical records, and will almost certainly require multiple expert witnesses. Hartford is in the process of gathering these records in order to ascertaining what experts will be required.

The parties believe an additional sixty (60) days of discovery should be sufficient in order to proceed. This request is being made in a timely manner. The parties believe that good cause is demonstrated by the above facts and circumstances.

IV. PROPOSED SCHEDULE.

- (a). Discovery Cut Off: **Monday, April 2, 2018 (deadline falls on Sunday).**
- (b). Motions to amend pleadings or add parties: **N/A**
- (c). Initial Expert Disclosures: **Friday, February 2, 2018.**
- (d). Rebuttal Expert Disclosures: **Monday, March 5, 2018 (deadline falls on a Sunday).**
- (e). Interim Status Report: **Friday, February 2, 2018.**
- (f). Dispositive Motions: **Tuesday, May 1, 2018.**
- (g). Pretrial Order: **Friday June 1, 2018.**

(h). Extensions or Modifications of the Discovery Plan and Scheduling Order:
Monday, March 12, 2018 (deadline falls on Sunday).

The parties believe that the sixty (60) day extension of the deadlines in discovery are necessary and appropriate to provide sufficient time to obtain the medical release and collect medical records. The parties also believe good cause is demonstrated by the recited facts in support of the extension.

DATED this 1st day of November, 2017.

AKERMAN LLP	BERNSTEIN & POISSON
<u>/s/ William S. Habdas</u> DARREN T. BRENNER, ESQ. Nevada Bar No. 8386 WILLIAM S. HABDAS, ESQ. Nevada Bar No. 13138 1160 Town Center Drive, Suite 330 Las Vegas, Nevada 89144 <i>Attorneys for Property and Casualty Insurance Company of Hartford</i>	<u>/s/ Christopher D. Burk</u> SCOTT L. POISSON, ESQ. Nevada Bar No. 10188 CHRISTOPHER D. BURK, ESQ. Nevada Bar No. 8976 320 S. Jones Blvd. Las Vegas, Nevada 89107 <i>Attorneys for Mary Jean Lambert</i>

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: November 29, 2017